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Date: October 23, 2008 Name: Jasper W. Dockrey, Reg. 33,868 Signature: /Jasper W. Dockrey/

Attorney Docket No.: 10808/205 (In1245WOUS)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
Schuler et al.	)	
Serial No.: 10/524,158	)	Examiner: Salerno, Sarah Kate
Filing Date: April 21, 2006	)	Group Art Unit No.: 2814
For NON-VOLATILE	)	Confirmation No.: 1538
SEMICONDUCTOR MEMORY	)	
ELEMENT AND	)	
CORRESPONDING PRODUCTION	)	
AND OPERATION METHOD	)	

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of August 19, 2008, in the above-referenced application, the Applicants respectfully request reconsideration of the rejection in view of the amendment and the remarks presented herein.

Amendments to the claims are reflected in the listing of claims beginning at page 2 of this paper.

The Applicants remarks begin at page 7 of this paper.